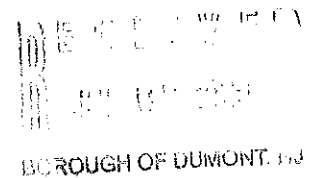


**BOROUGH OF DUMONT  
COUNTY OF BERGEN  
JOINT LAND USE BOARD**



**RESOLUTION GRANTING VARIANCE RELIEF WITH RESPECT TO THE  
PROPERTY KNOWN AS 92 GOLF VIEW DRIVE  
BLOCK 102, LOT 54, BOROUGH OF DUMONT,  
COUNTY OF BERGEN, STATE OF NEW JERSEY**

**WHEREAS**, an Application for variance relief has been made to the Dumont Joint Land Use Board pursuant to N.J.S.A. 40:55D-70(c) by **MICHAEL HANNA**, (the "Applicant") in connection with proposed improvements upon the property commonly known as 92 Golf View Drive, more particularly described as Block 102, Lot 54 on the Tax Map of the Borough of Dumont, County of Bergen, State of New Jersey (the "Property"); and

**WHEREAS**, the Applicant has applied to this Board for variance relief pursuant to N.J.S.A. 40:55D-70(c)(1) and (2) from the restrictions of the following sections of the Zoning Ordinance of the Borough of Dumont:

Ord. Sec. 455-35      Minimum Rear Yard Setback

The subject Application seeks approval of "c" variance relief and, as a consequence, must meet the statutory standard for such relief set forth in N.J.S.A. 40:55D-70(c); and

**WHEREAS**, the Application was duly considered by the Joint Land Use Board at a public hearing (via virtually and telephonically via Webex) on May 26, 2020; and

**WHEREAS**, the Applicant gave proper notice in accordance with law; and

**WHEREAS**, at said public hearings the Joint Land Use Board received the following documents in evidence:

1. Application dated February 25 2020;
2. Architectural Drawings for 92 Golf View Drive, Block 102, Lot 54 prepared by

Lloyd S. Stephenson, Jr. AIA, 76 Maple Street, Paterson, New Jersey, dated October 22, 2019, consisting of Elevations and Site Plan (A1), Floor Plans (A2) and Landscaping Plan & Details (L1).

WHEREAS, the subject Application involves the following zoning data:

<u>Category</u>	<u>R-2 District Requirements</u>	<u>Existing</u>	<u>Proposed</u>	<u>Variance</u>
Dwelling	One (1) Family	One (1) Family	One (1) Family	NO
Lot Size	7,500 Square Feet	8,603 Square Feet	8,603 Square Feet	NO
Lot Width	60.00 Feet	65.0 Feet Radius	65.0 Feet Radius	NO
Lot Depth	100.00 Feet	94.20 Feet	94.20 Feet	NO
Primary Building Footprint	N/A	1,373 Square Feet	1,373 Square Feet	NO
Accessory Building Footprint	N/A	68.0 Square Feet	68 Square Feet	NO
Walks & Driveway	N/A	1,461 Square Feet	1,461 Square Feet	NO
Wood Deck	N/A	243 Square Feet (Demolish)	387 Square Feet	YES
Green Area Percentage	50%	32%	32%	NO
Front Yard	25.00 Feet	32.63 Feet	32.63 Feet	NO
Side Yard	5.0 Feet	15.77 Feet	15.77 Feet	NO
Aggregate Side Yards	15.0 Feet	32.55 Feet	32.55 Feet	NO
Rear Yard	25.00 Feet	31.94 Feet	19.52 Feet	YES
1 <sup>st</sup> Floor Total	N/A	1,246 Square Feet	1,246 Square Feet	NO
2 <sup>nd</sup> Floor Total	N/A	1,373 Square Feet	1,373 Square Feet	NO
Basement Total	N/A	N/A	N/A	NO
Total Habitable Areas	N/A	2,696 Square Feet	2,696 Square Feet	NO

WHEREAS, the public had an opportunity to be heard on the Application at said hearings; and

WHEREAS, the Joint Land Use Board heard the sworn testimony the Applicant's Architect, Lloyd S. Stephenson, Jr., AIA of Lloyd S. Stephenson Jr., Architect with offices

located at 76 Maple Street, Paterson, New Jersey 07522, who testified in support of the Application; and

**WHEREAS**, the Board received a report on the Project dated May 8, 2020, from Maser Consulting PA, Board Engineer; and

**WHEREAS**, following the hearing held on May 26, 2020, the Joint Land Use Board approved the Application, subject to certain conditions; and

**WHEREAS**, the Board now wishes to set forth its findings, conclusions and conditions with respect to the Application;

**NOW, THEREFORE, BE IT RESOLVED** by the Joint Land Use Board that the following facts are hereby made and determined:

1. The proceedings in this matter were stenographically transcribed and voice recorded. The facts in this Resolution are not intended to be all-inclusive but merely a summary and highlight of the complete record made before the Board.
2. The Applicant is the owner of the property commonly known as 92 Golf View Drive, Dumont, New Jersey, and more particularly described as Block 102, Lot 54 on the Tax Map of the Borough of Dumont. Said property is located within the "RA" Single Family Dwelling District pursuant to the Zoning Ordinance of the Borough of Dumont.
3. In support of the Application, the Applicant, **MICHAEL HANNA**., through its attorney, Matthew G. Capizzi, Esq., presented the testimony of the Applicant's Architect, Lloyd S. Stephenson Jr., AIA, was sworn in and qualified by the Board. Mr. Stephenson provided the architectural drawings consisting of Site Plan, Existing Deck Plan, New Deck Plan and New Deck Roof Framing Plan and marked as Exhibits A-1, A-2, A-3 and A-4 respectively.
4. The Architect stated that the property is located in an area of one (1) family dwellings. The property is an unusual trapezoid shaped property. There is presently an existing elevated wood deck that covers a concrete patio, at ground

wood deck without detriment to the zone plan or the zoning ordinance, and that the unique shape of the lot gives rise to a hardship otherwise limiting a modest sized increase in the proposed deck, thus justifying the grant of the variance..

**WHEREAS**, the Board has determined that the relief sought does not impair the intent and purpose of the Master Plan or Zoning Ordinance of the Borough of Dumont.

**NOW THEREFORE**, be it resolved by the Joint Land Use Board of the Borough of Dumont that the within Application for variance relief shall be granted subject to the following conditions:

#### **CONDITIONS SPECIFIC TO THE APPLICATION**

1. Applicant would comply with the requirements of the Board Engineer's review correspondence dated March 17, 220.

#### **GENERAL CONDITIONS**

1. The Applicant shall comply with all of the stipulations made during the hearing on this Application.
2. The Application must comply with the necessary requirements of the zoning ordinances of the Borough of Dumont and the Municipal Land Use Act of the State of New Jersey, N.J.S.A. 40:55D-2 et seq.
3. The Applicant shall develop, prepare and improve the subject premises so as to conform with all of the details shown on the aforementioned plans and submissions, as presented to the Board and in accordance with the zoning ordinances, building codes and all other standards and ordinances unless expressly stated to the contrary within the approvals granted.

4. No building structure or land shall be occupied until such time as the Zoning Officer of the Borough of Dumont shall issue a final Certificate of Zoning Compliance to ensure compliance with the Board's decision.
5. Unless otherwise addressed herein or at the hearing held on May 26, 2020 the Applicant shall comply with the recommendations of the Board's professional and any other post-approval reports. The Applicant's professionals shall amend the architectural plans to reflect these recommendations in the form of drawing detail and/or written construction note detail format as necessary. In addition, the Applicant's professionals shall amend any engineering reports, engineering calculations that were presented as a part of the testimony before the Board as necessary and/or required by the Board Engineer and the Board Planner. All such amendments shall be submitted to the Board Engineer and Board Planner for review within thirty (30) days of the adoption of this Resolution. A Planting Plan shall be submitted to the Board Planner for her approval. Failure to provide same within this time period may result in this Resolution being declared null and void.
6. Within thirty (30) days of the approval of this Resolution by the Board, the Applicant shall, if necessary, post any additional escrow funding that may be required to reimburse the Borough's professionals for the review of this Application. Failure to provide such escrow fees may result in this Resolution being declared null and void.
7. The completed revised plans and submissions must be approved and signed by the Board Chairman, and Board Secretary, prior to submission to the Zoning Officer of the Borough of Dumont Certificate of Zoning Compliance, and prior to the issuance of any building permits.
8. The Applicant is responsible for publishing notice of this decision as required by the M.L.U.L.

This Application was approved by the Joint Land Use Board at its regular meeting on May 26, 2020 upon motion of Mr. Ken Armellino and seconded by Ms. Barbara Chen upon the roll call as follows:

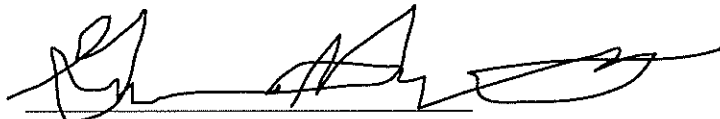
Ayes: 9

Nays: 0

Absent: 3

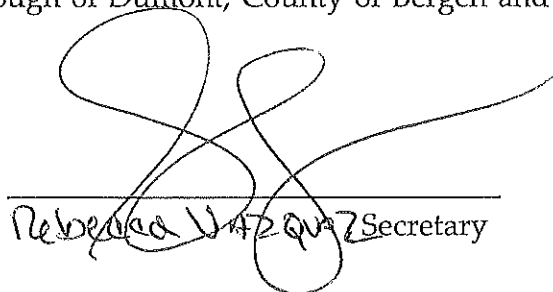
Abstain: 0

This Resolution was adopted on the 30<sup>th</sup> day of June, 2020 upon the motion of BARBARA CHEN and seconded by RAFAEL PIAQUE by a vote of 8 Ayes and 0 Nays.

  
Graeme Dutkowsky, Chairman

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the Applicant, Borough Clerk, Construction Code Official and Zoning Officer of the Borough of Dumont.

I do certify that this is a true and correct copy of the Resolution as adopted by the Joint Land Use Board of the Borough of Dumont, County of Bergen and State of New Jersey in the within Application.

  
Rebecca W. Z. Quinn, Secretary